EXCISE DEPARTMENT.

SALE OF SEPARATE ARRACK SHOPS FOR 1906-07.

Notification No. 2213, dated 21st March 1906.

1. Notice is hereby given that the exclusive right of selling arrack in each of the separate shops specified in the appended schedule* for the twelve months beginning with 1st July 1906 and ending with 30th June 1907, will be put up to public auction at upset prices, by the respective Deputy Commissioners or by Revenue Assistant Commissioners or by Divisional Officers of the Excise Department or other Officers specially authorized by the Deputy Commissioners for the purpose, on the dates and at the Taluk Head-quarters or other places mentioned below, subject to the conditions hereinafter set forth. If the sales are not completed on abovenamed days, they will be continued on the next following days (close holidays excepted).

2. (*a*) Each bidder at the auction will deposit a sum of Rs. 60 for shops in the Kolar Gold Fields, Rs. 25 for those in the Mysore and Bangalore Cities and Rs. 10 for those in other places, or such other reasonable amount as may be fixed by the officer conducting the sale, previous to bidding. It will, if offered, be received at any time within three days prior to the date of sale, provided that the Government may, at any time, dispense with such initial deposit. The deposits made by unsuccessful bidders if not forfeited as hereinafter provided, will be returned at the close of the sale. The shops or group of shops will be knocked down to the approved highest bidder, subject to formal confirmation by the Deputy Commissioner, who will be at liberty to accept or reject any bid at his discretion without assigning reasons for the same. Such formal confirmation will, *unless revised by Government for special reasons*, be tantamount to an acceptance of the bid and will be necessary whether the sale be held by the Deputy Commissioner himself or by any other officer appointed by him. Parties intending to bid must attend either in person or by duly accredited agents. Should there be no bid above the upset price, for any shop singly, the officer conducting the sale may, in consultation with the Excise Divisional Officer, if present, club together more than one shop but not more than two in the District Head-quarter taluks and Kolar Gold Fields and six in other places or, if necessary, reserve shops for which there may be no bids, for disposal hereafter. He may, subject to formal confirmation of the Deputy Commissioner, sell the right in any particular case by means of tenders or by private negotiation. He may also lower the upset price at his discretion. The officer conducting the sale may at his discretion, and without assigning any reason, refuse to accept the bid of any person, on the ground that he has been convicted by a criminal court of such an offence, or has been guilty of such breach of the conditions of the license, or of a contract under the Excise Regulation or Opium Act, as to render him undesirable as a holder of a license, or on the ground that he is insolvent, or in order to prevent arrangements to the detriment of Government interests, or for any other valid reason.

(*b*) No shop shall be knocked down in the name of more than one person or of more than one company or firm duly represented. The selling officer shall refuse to register as a purchaser any one in whose name the bidding has not proceeded.

3. (*a*) The successful bidder shall, on the exclusive privilege being knocked down to him, at once, if so required by the selling officer, or otherwise at the close of the day's sale, further deposit a sum equal to one-twenty-fourth part of his bid for the year, that is to say, one-half of the monthly rent unless the initial deposit equals or exceeds two months' rent. Should he fail to do so, the deposit, if any, made by him under clause 2 (*a*) will be forfeited, and the privilege will be sold again on the above conditions, or otherwise disposed of at his risk, as the Deputy Commissioner or selling officer may determine.

(*b*) The person to whom a shop or group of shops has been knocked down and who has made deposits as provided above, shall be required to leave his address with the selling officer, in order that the confirmation of the sale may be communicated to that address by a notice, and he shall, within seven days after the service of the

* For Schedule see Supplement to the *Mysore Gazette*, dated 5th April 1906.

said notice by its presentation to himself or to any adult male member of his family at the place of said address or by its being affixed thereto or by its forwardal duly registered by post, pay at the Taluk Treasury concerned, such further sum as, with the former deposits, will make up an aggregate sum equal to two months' rent, and execute at the same time before the Amildar the necessary engagements and take out the necessary licenses, as hereinafter set forth.

4. (*a*) The deposit made under the preceding para shall be either in cash or in Government of India Securities duly endorsed in favor of the Deputy Commissioner. Provided that in cases where the monthly rent exceeds Rs. 10 (in lieu of a deposit of two months' rent as above), the Deputy Commissioner may, in his discretion, allow any purchaser to deposit one month's rent as above, and to furnish approved personal security for an amount equal to four months' rent. In all cases where the monthly rent does not exceed Rs. 10, a cash deposit equal to two months' rent shall invariably be taken, and no personal security shall be accepted. If, on enquiry subsequent to sale, the purchaser shall be found to be a foreigner having no property in the Mysore State, or to be of doubtful solvency, he may be required to deposit twice the prescribed sum or to get a surety or sureties, residents of and possessing property in the Mysore State, to execute a security bond for the due payment of *all moneys* that may become due by him under the terms of the contract.

(*b*) Should the initial deposit exceed the sum required to be deposited under clause 3 (*b*) or clause 4 (*a*), the excess will be refunded to the purchaser.

5. The purchaser shall execute an agreement in the prescribed form, binding himself and, unless exempted by the Deputy Commissioner by an order duly recorded, so much of his movable and immovable property as may be deemed sufficient by the Deputy Commissioner, to observe the conditions hereinafter set forth, as well as those specified in the license to be issued to him; and his surety or sureties, if any have been accepted, shall also execute a bond in the prescribed form binding himself or themselves and so much of his or their movable or immovable property as may be deemed sufficient by the Deputy Commissioner for the due fulfilment by the purchaser of the terms of the agreement. The agreement and the bond so executed shall be stamped at the expense of the purchaser. They shall also be registered at his expense when the amount secured is Rs. 100 and above.

6. If default is made in making the deposit or deposits or in executing the agreement or the security bond, if any, and in taking out licenses as aforesaid, the exclusive privilege shall be forthwith re-sold or otherwise disposed of by the Deputy Commissioner at the risk of the first purchaser, who shall forfeit to the Government any deposit or deposits already made by him, and shall further be liable to make good any loss caused by such re-sale or other disposal. He shall not be entitled to any gain accruing from the re-sale or other disposal, and he shall be debarred from bidding again for the same or for any other shop or group of shops. In the case of loss the forfeited deposits will be deducted from it and the remainder, if any, shall be recovered as if it were an arrear of land revenue. In the case of the purchaser's death after the confirmation of the sale, it will be binding on his heirs or assigns.

7. Re-sales or other disposal effected under para 6 will be at the risk of the defaulting bidder, who shall forfeit all gain; and in the event of a loss caused by re-sale or other disposal he shall make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale or other disposal. In the latter case, the forfeited deposit shall be deducted from the loss arising from the re-sale or other disposal, and the remainder, if any, shall be recovered from the defaulter in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposit be greater than the loss by re-sale, the whole of such deposit shall be credited to Government.

8. The amount of rental, the consumption of arrack in each shop, etc., for several years past are specified in the appended schedule.

9. The license to be taken out under para 3 (*b*) above, shall be subject to the following conditions but nothing herein contained shall exempt the purchaser of the

privilege from liability to the penalties prescribed for breaches of the conditions set forth below though a formal license may not have been issued:—

(1) The amount for which the privilege has been purchased shall, if it exceeds Rs. 12 per annum, be payable into the local Taluk Treasury in equal monthly instalments commencing from July 1906. But where it does not exceed Rs. 12 per annum, it shall be paid in not more than three equal quarterly instalments. Each instalment shall be regarded as the rent for the month or quarter in respect of which it is payable. The licensee is not required to make any additional payment on account of local cess. Each month's or quarter's rent shall be payable on or before the 20th of the same month, or before the end of the quarter for which the instalment is due. If default is made, the Amildar may, with the sanction of the Deputy Commissioner, suspend, or declare by record in writing that the license is forfeited, and proceed to re-sell or otherwise dispose of the shop or group of shops as soon after the last day of the month or quarter as may be possible with effect from the date of issue of license to the new purchaser or from the date of other disposal. The officer who has power to suspend license may, however, at his discretion, allow sales to continue pending re-sale of other disposal of the privilege.

Note.—The licensee of a Jatra shop shall pay the rent thereof in full before the Jatra begins.

(2) The deposit made by the licensee shall be taken as security for the due performance of the conditions of the license and if not forfeited, credited or otherwise disposed of, shall be credited in payment of the instalments due in the last two months of the period of the lease. Provided, however, that where the shop or group of shops is re-sold or otherwise disposed of, the deposit shall, at the discretion of the Deputy Commissioner, be either forfeited or be appropriated towards the arrears due by the defaulter as well as towards the deficits, if any, arising from the re-sale or other disposal of the shop or group of shops. The balance of such arrears and deficits, if any, shall be recoverable from the licensee under the rules in force for the recovery of arrears of land revenue. No remission or abatement of the rent or compensation shall, on any account whatever, be claimable by the licensee.

(3) Interest at 6 per cent per annum shall be recoverable on all arrears from the date of default, and on deficits from the date of re-sale.

(4) The privilege conferred by the license extends only to the sale of arrack ordinarily of the strength of 20° under-proof and with the special permission of the Deputy Commissioner or other officer authorized by him to the sale of arrack of 30° U. P. In places where there are no shops for the vend of foreign liquors or where the foreign liquor shop-keepers do not undertake to sell double-distilled or rectified country spirits and special liquors such as Brandy, Whisky, Gin, etc., of such strength as may be fixed by the Excise Commissioner, manufactured at the Government Central Distillery, Bangalore, the holder of arrack shop license of approved character may, with the sanction of the Excise Commissioner, be permitted to sell the same in duly corked sealed bottles not to be drunk on the premises, at such prices as may be fixed by the Excise Commissioner, and subject to conditions otherwise applicable to the sale of arrack.

(5) The lease shall not be transferable by sale, gift or otherwise or be sub-rented except with the permission of the Excise Commissioner, nor if the Deputy Commissioner so orders may any agent be appointed for the management of any privilege without his previous approval. All engagements entered into by the agent shall be deposited with the Deputy Commissioner within one month from the date of execution.

(6) Application for resignation of shop or group of shops will be summarily rejected by the Deputy Commissioner.

(7) The manufacturers of arrack or double-distilled or rectified country spirits or other special liquors as well as the licenses of arrack Bonded Depots are prohibited from holding any interest in the retail vend of the abovementioned spirits or from employing any person who has such interest.

(8) The sale or transport of arrack by persons suffering from leprosy or any contagious disease and the employment of such persons in the shop are prohibited.

(9) The license-holder shall purchase from the Bonded Depots established molasses arrack at 8½ annas per gallon of 20° under-proof, jaggory arrack in duly corked sealed bottles at Rs. 1-6-6, and also special liquors referred to above, at such prices as may be fixed by the manufacturers.

(10) The licensee shall sell molasses arrack to the public at Rs. 6-6-0 per gallon of 20° under-proof (*i. e.*, at annas two per dram which is equal to 1—51st part of a gallon) and jaggory arrack at Rs. 1-3-10 per reputed quart bottle and at proportionate rates for lower strengths.

(11) The licensee of every shop in the Cities of Bangalore and Mysore shall pay a registration fee under the Municipal Regulations at the rate of Rs. (180) one hundred and eighty per annum in advance for the period of the license for his shop, and he shall pay a surcharge of (4) four annas per gallon on all arrack sold by him in excess of 55 gallons a month in each such shop.

(12) The above rates to be charged for molasses arrack, jaggory arrack, double distilled or rectified country spirits or other special liquors by the manufacturers and the above fees are in addition to excise duty, which shall be prepaid at the prescribed rate of Rs. 4-12-0 (including local cess) per gallon of 20° U. P. and proportionately for higher or lower strengths, before the removal of the liquor from a Bonded Depot established under the sanction of Government.

(13) The licensee shall pay the above duty and price into a Taluk Treasury or to a special shroff, if any, appointed on this behalf at the cost of Government, and located at the Taluk Cutcherry to receive such duty and price *daily* including Sundays and holidays or to such other officer as may be appointed by the Deputy Commissioner, and shall obtain a receipt in the prescribed printed form. On production of such receipt and an indent for the supply of the liquor covered by the receipt, the Bonded Depot-keeper shall issue the quantity of liquor equal to the amount of duty and price shown in the said receipt which will be forwarded to the Excise Commissioner's office under the endorsement of the Bonded Depot-keeper aforesaid, as to the date and hour when the liquor was issued. The Depot-keeper aforesaid shall issue a pass in the prescribed form for the transport of liquor from the Bonded Depot. He shall also issue sample bottles with the consignments in such manner as may be ordered by the Excise Commissioner.

(14) The licensee shall be bound to take over any liquor which may remain as stock in hand belonging to the out-going licensee on 1st July 1906, in the shop, paying him such compensation for the same as may be fixed by the Excise Commissioner.

(15) The licensee shall possess or use on any licensed premises only such standard measure as may, from time to time, be prescribed by the Excise Commissioner. The officers authorized to inspect licensed shops are empowered to enter and examine the premises, to test the measures in use and the liquor under sale and to call for and check the accounts kept in the shops.

(16) The licensee shall be bound by the provisions of the Excise Laws and rules in force and by any additional rules which may, from time to time, be prescribed under the Excise Laws, and if so required, deliver up his license for amendment or issue of a fresh one.

(17) The Deputy Commissioner may, whenever he thinks fit, direct shops to be closed, or permit transfer of shops from one place to another, provided the distance is not more than 200 yards, or direct new shops to be opened with the previous sanction of the Excise Commissioner.

(18) Persons who purchase group of shops may, with the special permission of the Excise Commissioner, who is at liberty to refuse it, and under a license by a competent authority open a depot and remove thereto liquor purchased from the Bonded Depot and issue therefrom the requisite supply to their shops.

(19) The licensee of shop or group of shops shall not, during the term of the license, have any interest in the exclusive privilege of vending toddy or foreign spirits or liquors or both within 5 miles from it, nor permit any person having interest in the exclusive privilege of vending toddy or foreign spirits or liquor or both within the said area, to hold any share or interest in his exclusive privilege of selling country liquor; nor shall he, during the term of his license, without the written permission of the Excise Commissioner, have any interest, direct or indirect, in any arrack farm in any districts of the Madras or Bombay Presidency under the British Government or any other Foreign State or Territory, or Civil and Military Station, Bangalore.

(20) An Inspection note book with the pages numbered consecutively for inspecting officers to enter their remarks shall be maintained and be handed over to the Excise Inspector in charge of the Range or any officer authorized by him to receive it on a receipt being given therefor.

(21) If the licensee shall be convicted on prosecution before a Magistrate of any offence against the Excise Regulation, or Opium Act or other law for the time being in force, which in the Deputy Commissioner's opinion renders him unfit to hold the license, it shall be lawful for the Deputy Commissioner to declare his license forfeited and sell or otherwise dispose of the privilege at the risk of the licensee.

(22) All sums payable by the licensee may be deducted from the amount of his deposit or recovered by attachment and sale of the property of the licensee or his surety, under any law for the time being in force for the recovery of arrears of land revenue.

(23) The license-holder or vendor or vendors shall not sell nor give any arrack exceeding one reputed quart to any individual to convey out of any licensed shop or premises without a valid permit.

(24) The shop-keepers shall not sell or give any arrack to any European non-commissioned officer, private or soldier, or to any European or Eurasian camp follower, or to any member of the families of any of the aforesaid persons, without the permission in writing of the Commanding Officer or of some person duly authorized by him in that behalf; nor to any European sailor, nor to any sepoy, member of the Police force or Excise staff or servant of a Railway Company, whilst on duty; nor to any European vagrant under escort of Police; nor to any child under fourteen years of age; nor to any insane person for consumption on the premises; nor shall they sell any arrack on credit.

(25) They (license-holder or vendor or vendors) shall not receive any articles whatsoever in barter or pledge. Payment for arrack shall be received by them in ready money only, and they shall be bound to give intimation of the offer of anything other than cash to the nearest Magistrate or Police Officer. They shall have no pecuniary dealings with any Excise Officer.

(26) The arrack kept in his shop, offered for sale and sold, shall be unadulterated and undiluted; and it shall be of the same quality and

strength as issued from the Bonded Depot. With all consignments from the Depot to the shop, sample bottles shall be taken in such manner as may be ordered by the Excise Commissioner.

(27) No consignments of arrack received at the shop, and which have been transported through British Territory, shall be opened before they have been verified by the officers authorized to do so.

(28) No water or other beverage, or liquor other than arrack of any quantity whatever shall be kept or sold in the shop in which arrack is sold, or on the person or in possession of the license-holder or vendor or any of his employees in the shop. No ingredients noxious to health shall be added to it either to increase its intoxicating power or for any other purpose. All officers authorized to inspect shops and depots are empowered to detain any liquor found unfit for consumption or use and the Excise Commissioner, all Deputy Commissioners, Deputy Excise Commissioner and Excise Assistant Commissioners are authorized to destroy such liquor.

(29) No robbers or thieves or disorderly or riotous persons or prostitutes or soldiers or others known or believed to be deserters shall be harboured in the shop, and gaming, disorderly conduct, etc., therein shall be prevented, and information of their resort shall be given to the nearest Magistrate or Police Officer. No person shall be harboured during night in any shop.

(30) The license-holder shall fix in a conspicuous place outside of his shop a board on which shall be legibly printed in local vernacular his name and the number of his license and the articles he is licensed to deal in and the current rate of sale; the license must be hung up in a conspicuous place within.

(31) True account of receipts and issues of liquor shall be maintained from day to day in ink in the prescribed form. The accounts and permits shall be in printed books which may be obtained form local Excise Officers on payment of cost price. Permits for liquor received and the counterfoils of permits issued must be carefully filed. The signing of blank permits for subsequent issue is prohibited. The accounts and counterfoils of permits shall be preserved and delivered to the local Excise Officer immediately after the close of the lease. They shall be produced when asked for by the Deputy Commissioner or any officer appointed by him or by an Excise Officer not below the rank of Excise Assistant Inspector. The licensee shall be bound to furnish such returns and information as may, from time to time, be required by the Deputy Commissioner or Excise Officer not below the rank of Excise Assistant Inspector.

(32) The amount of fees payable for the shops under Condition 11 above, shall, in the Towns of Bangalore and Mysore, be paid to the Officers appointed by the President, Municipal Commission, to receive the same.

(33) The following stock or such stock as the Excise Divisional Officer may consider sufficient to meet local requirements shall always remain on hand and not be trenched upon :—

	Arrack	Remarks
I At all District Head-quarters	2 Gallons	
II At all Taluk and Depot Kasabas...	1 Gallon	
III Village shops within five miles from Depot	½ Gallon	
IV Village shops more than five miles distant from Depot...	Stock equal to one day's sale for every ten miles from Depot and not less than the stock fixed for shops within five miles of the Depot.	

The shop shall be kept open during the authorized hours unless its temporary or permanent closure is authorized by the Deputy Commissioner.

(34) The shop shall be closed by *9 P.M., and not be opened before sunrise except on special permit in cases of festivals, etc. The Deputy Commissioner or Assistant Commissioner in charge of the taluk may direct that all shops for the sale of arrack on or adjacent to the line of march shall be closed whilst a detachment of European or Native soldiers is passing or encamped in the vicinity. The Government reserves the power to terminate the lease on public grounds on giving the licensee fifteen days' notice and awarding a reasonable compensation to the licensee. The licensee will have no claim to compensation or remission on account of any arrangements which may be made by Government in regard to Country Beer or other description of liquor than arrack.

(35) The sales should be conducted in a suitable building which shall have only one door, and no windows shall be allowed to the rear or ends of the building. The bar where the liquor is sold shall be opposite the entrance door and so situated that all persons inside can be seen by any one passing to and fro in the street, and no second room shall be allowed to or be kept open for customers.

(36) The right is reserved to the Deputy Commissioner to grant occasional licenses for the sale of liquor on the occurrence of fairs, festivals, etc., in places in the vicinity of which there are no regularly licensed shops. Such licenses shall ordinarily be granted to the shop-keepers who usually supply the locality. Their period shall not exceed fifteen days and the fee to be paid therefor shall be fixed at the Deputy Commissioner's discretion unless he decides to sell the same by public auction.

(37) If it comes to the licensee's knowledge that any person employed by him in the carriage or sale of arrack, commits any breach of the Excise Laws or of the engagements entered into by him, it shall be his duty to report the matter to the Deputy Commissioner, and comply with the directions of the Deputy Commissioner respecting the continued employment of such person.

(38) No person who has been convicted of a heinous offence under the Indian Penal Code shall be employed in the carriage or sale of liquor without the Deputy Commissioner's previous permission.

(39) In case of any breach of the above conditions either by the licensee or, with his connivance and privity, by any person in his employment, or in the event of the licensee neglecting to open his shop, or to carry on the business of his shop with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding Rs. 50 for every such breach or for such neglect, or, at the option of the Deputy Commissioner, to declare the money deposited with him forfeited, and to cancel the license and re-sell the shop or to otherwise dispose of it at the risk of the licensee, or to place the shop under the management of Government; and all loss thereby caused, together with all losses accruing to Government in consequence of the licensee's neglect to carry on his business with due care and attention and to open his shop on 1st July 1906, shall be made good by him. When a license is cancelled, the rent for the whole period of the shop shall become due at once. All such amounts of penalties and losses shall be recovered in the same manner as if they were arrears of land revenue.

(40) The imposition of a fine or the forfeiture of deposit or the cancellation of the license under the last preceding para, shall not be held to prevent the prosecution of the licensee or his agents or employees for any offence punishable under the Excise Laws or other law for the time being in force.

NOTE.—For continuing breaches of a license, continuing fines may be imposed.

* 9.30 P.M. in the City of Bangalore.

DATES OF SALE.

District	Taluk	Date
		May 1906
Bangalore.	Bangalore City	1
	Bangalore Taluk	2
	Anekal	4
	Hoskote	8
	Devanhalli	10
	Dodballapur	12
	Nelamangala	14
	Magadi	16
	Channapatna	19
	Kankanhalli	21
		May 1906
Kolar.	Goribidnur	3
	Bagepalli	7
	Chikballapur	9
	Sidlaghatta	11
	Chintamani	15
	Srinivaspur	17
	Mulbagal	19
	Kolar	21
	Malur	23
	*Kolar Gold Fields	25
	Bowringpet	26
		May 1906
Hassan.	Belur	1
	Manjarabad	3
	Arkalgud	7
	Hole-Narsipur	9
	Hassan	11
	Channarayapatna	14
	Arsikere	17
		May 1906
Kadur.	Kadur	19
	Tarikere	21
	†Yedahalli	23
	Koppa	25
	Mudgere	28
	Chikmagalur	31

District	Taluk	Date
		May 1906
Tumkur.	Kunigal	8
	Tumkur	10
	Gubbi	12
	Tiptur	16
	Chiknayakanhalli	19
	Sira	23
	Maddagiri	25
	Pavagada	28
		April 1906
Mysore.	Yedatore	24
	Hunsur	26
	Heggaddevankote	28
	Nanjangud	30
		May
	Gundlupet	2
	Chamrajnagar	4
	Yelandur	7
	T.-Narsipur	9
	Malvalli	11
	Mandya	14
	Seringapatam	16
	Krishnarajpete	18
	Nagamangala	21
	Mysore City and Taluk	23
		May 1906
Shimoga.	Shimoga	4
	Tirthahalli	8
	Nagar	10
	Sagar	12
	Sorab	14
	Shikarpur	16
	Honnali	18
	Channagiri	21
		May 1906
Chitaldrug.	Hosdurga	8
	Holalkere	10
	Davangere	12
	Jagalur	15
	Molakalmuru	17
	Challakere	19
	Hiriyur	22
	Chitaldrug	25

* Gold Fields Magistrate's Court.
† Deputy Amildar's Office.

133

SALE OF DRUG SHOPS FOR 1906-07.

Notice No. 2215, dated 21st March 1906.

1. Notice is hereby given that the exclusive privilege of selling intoxicating drugs in each of the shops specified in the schedule* hereto appended, for the twelve months beginning with 1st July 1906 and ending with 30th June 1907, will be put up to public auction by the respective Deputy Commissioners or by Assistant Commissioners specially authorized by the Deputy Commissioners for the purpose, at the respective taluk or sub-taluk head-quarters, on the dates specified in the annexed statement, subject to the conditions hereinafter set forth.

2. Each bidder at the auction will deposit a sum of Rs. 5, or such other reasonable amount as may be fixed by the officer conducting the sale, previous to bidding, provided that the Government may at any time dispense with such initial deposit. Each shop will be knocked down to the approved highest bidder, subject to formal confirmation by the Deputy Commissioner, who will be at liberty to accept or reject the bid at discretion without assigning reasons for the same. Such formal confirmation will, *unless revised by Government*, be tantamount to an acceptance of the bid. Parties intending to bid must attend either in person or by duly accredited agents. No shop shall be knocked down in the name of more than one person or of more than one company or firm duly represented. The selling officer shall refuse to register as purchaser any one in whose name the bidding has not proceeded.

3. As soon as the auction is completed, the deposits made by the unsuccessful bidders and not forfeited as hereinafter provided, will be returned to them. As the auction proceeds, the person whose bid is accepted for each shop shall at once deposit a sum equal to $\frac{5}{8}$ths of a month's rent for that shop. Should he fail to do so, the deposit made by him under para 2 will be forfeited, the shop will at once be put up again on the above conditions, and he will be debarred from bidding again for the same or for any other shop.

4. The persons to whom the shops have been knocked down, and who have made deposits as provided in paras 2 and 3, shall also be required to leave his address with the sale conducting officer in order that the confirmation of the sale may be communicated to that address by a notice, etc., and he shall, within 7 days, after the service of the said notice by its presentation to the purchaser or any adult male member in the place of the said address or by its being affixed thereto or by its forwardal duly registered by post, pay at the Taluk Treasury concerned such further sum as, with the first and second deposits, will make up an amount equal to two months' rent of each shop knocked down to them; and shall take out licenses and execute a counterpart engagement, in the prescribed forms, on the conditions hereinafter set forth. On the failure of any person to make the deposit or to take out license or to execute the counterpart engagement, as aforesaid, the shop will be re-sold at the risk of such person, or if the auction hereby notified has already been completed, will be otherwise disposed of at the discretion of the Deputy Commissioner. In the case of the purchaser's death after the confirmation of the sale, it will be binding on his heirs or assigns.

5. Re-sales effected under para 4 will be at the risk of the defaulting bidder, who will forfeit all gain; and in the event of a loss by re-sale or other disposal he will make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale or other disposal. In the latter case, the forfeited deposit will be deducted from the loss arising from the re-sale and the remainder, if any, will be recovered from the bidder in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposit be greater than the loss by re-sale, the whole of such deposit will be credited to Government.

6. The license to be taken out under para 4 above, shall be subject to the following conditions, namely :—

(1) The amount for which the privilege has been purchased shall be payable into the Taluk Treasury on the prescribed challan in equal monthly instalments commencing from July 1906; each instalment shall be regarded as the rent for the month in respect of which it is payable.

* For Schedule see supplement to the *Mysore Gazette*, dated 5th April 1906.

Each month's rent shall be payable on or before the 20th of the same month on the challan prescribed for the purpose. If such amount be less than Rs. 12, it shall be paid up in not more than three quarterly instalments commencing from 1st July 1906. The deposit of two months' rent made by the licensee, will be taken in payment of the rents due for the last two months of the period of the license. Failing payment by the 20th of the same month or before the end of the quarter for which the instalment is due, the Amildar may, with the sanction of the Deputy Commissioner by record in writing, suspend or cancel the license or order the forfeiture of all deposits made by the defaulter and proceed to re-sell or otherwise dispose of the shop at the defaulter's risk (as soon after the last day of the month or quarter as may be possible) with effect from date of issue of license to the new purchaser or from the date of other disposal. No remission or abatement of the rent shall, on any account whatever, be claimable by the licensee.

(2) The licensee shall purchase Ganja and Majum from any Bonded Depot at the rates of Re. 0-13-4 and Re. 0-5-4, respectively, per seer of 80 tolas; and shall pay the price to the Mutsaddi in charge of the Depot.

(3) The rates payable as above, shall be in addition to Excise duty, which shall be prepaid into the Taluk Treasury, or into any other Government Treasury with the permission of the Deputy Commissioner, at Rs. 3-6-8 per seer of Ganja and Re. 0-11-8 per seer of Majum, (including local cess).

(4) The Ganja sold by the licensee, shall be of good quality and unadulterated, and it shall be sold by him at Rs. 10 for a seer of 80 tolas of Ganja or annas 2 per tola of Ganja and of Rs. 1-10-8 for a seer of Majum; and the whole stock of Ganja and Majum on hand shall be kept in the licensed shop and not elsewhere on any pretext whatever, without special permission.

(5) The licensee shall use such scales and weights as may from time to time be prescribed by Government, and provide himself with the printed forms of accounts and permits or passes for transport of Drugs, which forms shall be purchased from local Excise Officers.

(6) The licensee shall be bound to take over any Drugs which may remain as stock in hand belonging to the out-going licensee on the 1st July 1906 in the existing shop, paying to the latter such compensation for the same as may be fixed by the Deputy Commissioner.

(7) The licensee shall be bound by the rules in force, and by such further rules as may be issued from time to time by Government. He shall not during the term of his license, without the written permission of the Excise Commissioner, have any interest direct or indirect in any intoxicating drug shop outside the Mysore State or in the Civil and Military Station.

(8) No female shall be employed in the sale of intoxicating drugs.

(9) The remaining terms and conditions shall be as set forth in the prescribed license.

7. In the case of any breach of the above conditions either by the licensee, or with his connivance and privity, by any person in his employment, or in the event of the licensee neglecting to open his shop or to carry on his business with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding Rs. 10 for every such breach or neglect, or at the option of the Deputy Commissioner to declare the money deposited with him forfeited, and to cancel the license and to re-sell or to otherwise dispose of the privilege at the risk of the licensee; and all loss thereby caused, together with the loss accruing to Government in consequence of the licensee not carrying on his business by opening his shop on 1st July 1906, shall be made good by him. When a license is cancelled, the rent for the whole period of the license shall become due at once, which shall be recovered together with all losses as if they were arrears of land revenue.

8. The penalties laid down in the last preceding clause shall not exempt the licensee or his employees from prosecution for any offence committed against the Excise laws or rules in force.

DATES OF SALE.

District	Taluk	Date
		May 1906
Bangalore	Bangalore City and Bangalore Taluk ...	1 & 2
	Anekal	4
	Hoskote	8
	Devanhalli	10
	Dodballapur	12
	Nelamangala	14
	Magadi	16
	Channapatna	19
	Kankanhalli	21
		May 1906
Kolar	Goribidnur	3
	Bagepalli	7
	Chikballapur	9
	Sidlaghatta	11
	Chintamani	15
	Srinivaspur	17
	Mulbagal	19
	Kolar	21
	Malur	23
	Kolar Gold Fields*	25
	Bowringpet	26
		May 1906
Hassan	Belur	1
	Manjarabad	3
	Arkalgud	7
	Hole-Narsipur	9
	Hassan	11
	Channarayapatna...	14
	Arsikere	17
		May 1906
Kadur	Kadur	19
	Tarikere	21
	Yedahalli †	23
	Koppa	25
	Mudgere	28
	Chikmagalur	31

District	Taluk	Date
		May 1906
Tumkur	Kunigal	8
	Tumkur	10
	Gubbi	12
	Tiptur	16
	Chiknayakanhalli	19
	Sira	23
	Maddagiri	25
	Pavagada	28
		April 1906
Mysore	Yedatore	24
	Hunsur	26
	Heggaddevankote...	28
	Nanjangud	30
	Gundlupet	May 2
	Chamrajnagar	4
	Yelandur	7
	T.-Narsipur	9
	Malvalli	11
	Mandya	14
	Seringapatam	16
	Krishnarajpete	18
	Nagamangala	21
	Mysore City and Taluk	23
		May 1906
Shimoga	Shimoga	4
	Tirthahalli	8
	Nagar	10
	Sagar	12
	Sorab	14
	Shikarpur	16
	Honnali	18
	Channagiri	21
		May 1906
Chitaldrug	Hosdurga	8
	Holalkere	10
	Davangere	12
	Jagalur	15
	Molakalmuru	17
	Challakere	19
	Hiriyur	22
	Chitaldrug	25

* Gold Fields Magistrate's Court.

† Deputy Amildar's Office.

SALE OF COUNTRY BEER TAVERNS IN THE BANGALORE CITY AND IN THE BOWRINGPET TALUK FOR 1906—07.

Notice No. 2216, dated 21st March 1906.

1. Notice is hereby given that the exclusive privilege of selling Country Beer or Porter in each of the taverns specified in the appended schedule,* for the twelve months beginning with 1st July 1906 and ending with 30th June 1907, will be sold by public auction on the dates and at the places mentioned in the annexed schedule by the Deputy Commissioner of the District concerned or other officer authorized by him.

2. The exclusive privilege will be put up to auction at the upset price fixed at Rs. 35 per hogshead of Beer or Porter which will be sold in the taverns at Bowringpet and the Kolar Gold Fields and at the upset price fixed for each of the taverns in the City of Bangalore by the officer conducting the sale with the previous sanction of the Excise Commissioner.

3. The manufacturers of Beer may bid for or purchase the taverns.

4. Each bidder at the auction shall deposit a sum of Rs. 250 for shops in Bowringpet Taluk and Rs. 100 for those in Bangalore or such other reasonable amount as may be fixed by the officer conducting the sale, previous to bidding. Each tavern will be knocked down to the approved highest bidder, subject to the formal confirmation by the Deputy Commissioner, who will be at liberty to accept or reject the bid at discretion, without assigning reasons for the same. Such formal confirmation will, unless revised by Government, be tantamount to an acceptance of the bid. Parties intending to bid must attend either in person or by duly accredited agents.

5. As soon as the auction is completed, the deposits made by the unsuccessful bidders and not forfeited as hereinafter provided, will be returned to them.

6. The persons to whom the taverns have been knocked down, shall be required to leave his address with the sale-conducting officer in order that the confirmation of the sale may be communicated to that address, and within seven days after service by the said notice by its presentation to the purchaser or any adult male member of the family at the place of said address or by its being affixed thereto or by its forwardal duly registered by post, deposit such further sum as, with the first deposit, will make up a total security of Rs. 500 for each tavern knocked down to them or such other reasonable amount as may be fixed by the Deputy Commissioner according to the value of each tavern; and shall take out licenses and execute counterpart engagements, on the conditions hereinafter set forth. On the failure of any person to make the deposit or to take out license or to execute the counterpart engagement, as aforesaid, the tavern will be re-sold at the risk of such person, or if the auction hereby notified, has already been completed, will be otherwise disposed of at the discretion of the Deputy Commissioner. In the case of the purchaser's death after the confirmation of the sale, it will be binding on his heirs or assigns.

7. Re-sales effected under para 6 *supra*, will be at the risk of the defaulting bidder, who shall forfeit all gain; and in the event of a loss by re-sale or other disposal he shall make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale or by disposal otherwise. In the latter case, the forfeited deposit shall be deducted from the loss arising from the re-sale or other disposal, and the remainder, if any, shall be recovered from the bidder in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposit be greater than the loss by re-sale or other disposal, the whole of such deposit shall be credited to Government.

8. The license to be taken out under para 6 above, shall be subject to the following conditions, namely:—

(1) The privilege conferred by the license extends to the sale of Country Beer or Porter brewed on the Nilgiris in breweries which may be approved of by the Government or by Messrs. Meakin & Co., Kirkee, or by Messrs. Abraham and Gangadhara Chetty & Co., Bangalore, or in any other Brevery approved by Government.

* For Schedule see supplement to the *Mysore Gazette*, dated 5th April 1906.

(2) Each tavern shall be maintained in or close to the existing tavern as described in the schedule hereto appended.

(3) The amount payable for each month on account of the number of hogsheads of Beer or Porter sold, shall be paid into the Taluk Treasury in the first week of the following month, on the challan prescribed for the purpose. The security deposit shall be taken towards the amount due for the last two months of the period of the lease. Failing payment as above, the Deputy Commissioner shall at once proceed to recover the arrears together with interest at 6 per cent, under the rules in force for the collection of land revenue. No remission or abatement of the Government dues shall, on any account whatever, be claimable by the licensee.

(4) The licensee shall further pay a duty of two annas for every gallon of Country Beer or Porter purchased by him, together with local cess at one anna per rupee.

(5) The consignment of Country Beer or Porter purchased by the licensee, shall be sent direct from the Brewery to the Amildar of the Taluk. The letter of advice covering the consignment shall be in duplicate, the original being sent to the Amildar of the Taluk, and the duplicate to the Excise Commissioner. On the duty together with local cess at the abovementioned rate being paid by the licensee on the prescribed challan, the Amildar shall allow the licensee to remove the consignment to his tavern upon a pass signed by the Amildar or other officer authorized on this behalf.

(6) The licensee of every tavern at the Bangalore City shall pay a registration fee under the Municipal Regulation, at the rate of Rs. 180 per annum in advance for the period of the license for his tavern.

(7) The licensee shall use such measures as may from time to time be prescribed by Government, and provide himself with the printed forms of accounts and permits or passes for transport of Beer or Porter, which forms shall be purchased from local Excise Officers.

(8) The licensee shall be bound to take over any Beer or Porter which may remain as stock in hand belonging to the out-going licensee on the 1st July 190 in the existing tavern, paying to the latter such compensation for the same as may be fixed by the Excise Commissioner.

(9) This lease shall not be transferable by sale, gift, mortgage or otherwise without the previous sanction of the Excise Commissioner.

(10) The Vendor shall equally with the license-holder be responsible in the penalties herein set forth for breach of any of the conditions of the license.

(11) He shall sell Beer or Porter of approved quality. It may be sold to be drunk on the premises up to one reputed quart bottle at a time. It may be sold to be removed off the premises upon the prescribed special passes up to one Imperial gallon (4 seers).

(12) He shall not sell or give Beer or Porter in any quantity whatever directly or indirectly to any European or non-commissioned officer or private or soldier, nor to any European or East Indian woman connected with or related to, men of these classes, nor allow him, her, or them, to drink Beer or Porter in his premises or grounds; he shall not permit drunkenness or disorderly behaviour in his shop or premises, and shall not suffer any gambling whatsoever therein, and shall not knowingly permit prostitutes or persons of notoriously bad character to meet or remain therein; he shall not wilfully harbour or conceal therein soldiers or others knowing or having reason to believe such soldiers or others to be deserters; he shall give information of suspicious characters to the Magistrate or Police Officer; and he shall not sell or give Beer or Porter to any Police Officer, Railway servant, or Excise Officer, whilst on duty or to insane person.

(13) He shall fix in a conspicuous place outside of his shop a board on which shall be legibly painted his name, Vendor's name, the number of his shop, and the article he is licensed to deal in.

(14) He shall not receive any articles whatsoever in barter or pledge and payment for Beer or Porter shall be made in ready money only at one and a-half rupee per imperial gallon and proportionately for fractions thereof.

(15) The Beer or Porter sold under this license shall contain 75 per cent of malt or any of the preparations of malt and 3 lbs. of good Kent hops per hogshead, and shall be of the same quality and density as purchased from the Brewer, without dilution or adulteration. The original gravity of the Beer wort shall not exceed 1070 at 60° Fahrenheit. The Beer or Porter sold shall not contain more than 8 per cent alcohol by volume. The licensee will be bound to pay duty, together with local cess, at the prescribed rate per gallon of proof spirit on all alcohol in the Beer or Porter in excess of 8 per cent by volume, besides being liable for prosecution. Samples of such Beer or Porter shall be sent duly bottled from the Brewery or tavern for examination and test whenever required by the Excise Department.

(16) Any Magistrate having local jurisdiction, or any officer acting under his warrant, or any Abkari or Excise officer shall be allowed entry to the shop at any hour to test the Beer or Porter on the premises, and examine the shop accounts, which it shall be the duty of the License-holder and Vendor to keep and produce. Such accounts shall be true and correct, and written up daily in the prescribed forms. All condemned Beer shall be destroyed.

(17) He shall close his shop by 9 P.M., and not open it before sunrise except on special permit in cases of Native festivals, etc.

(18) Beer brought for the Commissariat Department and rejected by the Military or other Departments, shall not, under any circumstances, be forwarded for sale in the tavern.

(19) The shop shall have only one door, and no window be allowed to the rear or ends of the building; the bar where the liquor is sold from, shall be opposite to the entrance door, and so situated that all persons inside can be seen by any one passing to and fro in the street; and no second room shall be allowed to be kept open for customers.

(20) The licensee shall be bound by the rules in force, and which may be issued from time to time by Government.

9. In the case of any breach of the above conditions either by the licensee, or with his connivance and privity by any person in his employment, or in the event of the licensee neglecting to open his tavern or to carry on his business with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding Rs. 10 for every such breach or neglect, or at the option of the Deputy Commissioner, to declare the money deposited with him forfeited, and to cancel the license and to re-sell the privilege or to otherwise dispose of it at the risk of the licensee; and all loss thereby caused, together with the loss accruing to Government in consequence of the licensee not carrying on his business by opening his tavern on 1st July 1906 shall be made good by him. When a license is cancelled, the rent for the whole period of the lease shall become due at once, which shall be recovered together with all losses as if they were arrears of land revenue.

10. The penalties laid down in the last preceding clause shall not exempt the licensee or his employees from prosecution for any offence committed against the Excise Laws in force.

BEER SCHEDULE FOR THE YEAR 1906-07.

Name of Taluk	Serial No. of tavern	Situation of the tavern		Names of the present license-holders	Consumption					Rental					License fee payable on each Hogshead of 54 gallons per highest bid				Place of sale	Date of sale	Remarks
			Locality		1901-02.	1902-03.	1903-04.	1904-05.		1901-02.	1902-03.	1903-04.	1904-05.	1905-06.	1902-03.	1903-04.	1904-05.	1905-06.			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
					Hogs	Hogs	Hogs	Hogs	Hogs	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.			
Bangalore	1	42	Mysore road	Rangaswamy Mudaliar.	49	30	...	...	...						...	...	...	...	Bangalore Taluk Cutcherry	1st and 2nd May 1906	
Do	2	85	Arlepet tank road	Mounadi Pille ...	...	...	..	...	...	1400	2,200	...	...	...	...	...	...	...			
Do	3	2	Avenue road, Yelahanka gate ...	Do	...	...	...	..	...						..	...	...	...			
Bowringpet ...	1	...	Robertsonpet	Punyakoti Mudaliar ...	...	432	445	90	78·32	...	..	...	...	...	47	56	63	61	Gold Fields Magistrate's Court.	25th May 1906	
Do	2	...	Bowringpet	Do	...	44	24	6	5·22	...	...	...	..	...	43	50½	55	46			

SALE OF TODDY SHOPS FOR 1906-07.

NOTIFICATION No. 2214, DATED 21ST MARCH 1906.

1. It is hereby notified that the exclusive privilege of selling toddy in each shop or group of shops specified in the appended Schedule,* for one year, beginning with 1st July 1906 and ending with 30th June 1907, will be put up to public auction at upset prices by the respective Deputy Commissioners or by Revenue Assistant Commissioners or Divisional Officers of the Excise Department or other officers specially authorized by the Deputy Commissioners for the purpose, on the dates mentioned below, and at the respective Taluk or Sub-Taluk Kasabas, and, except as hereinafter provided, will be knocked down to the bidder offering the highest amount of rent above those prices. If the sales are not completed on the abovenamed days, they will be continued on the next following days (close holidays excepted). Should there be no bids for any shops singly, the officer conducting the sale shall be at liberty to revise, when necessary, in consultation with the Excise Divisional Officer, if present, the grouping of shops as specified in the Schedule hereto appended, or, if necessary, to reserve shops for which there may be no bids, for disposal hereafter, or to sell the said privilege in any particular case, by means of tenders or by private negotiation. The privilege in any Coffee Estate may be sold to the planter for a fixed amount not less than Rs. 12 per shop per annum. The shops in alienated villages shall be separately sold, and the amounts connected therewith shall be shown in the accounts under a distinct head. The sale in every case shall be subject to the conditions hereinafter set forth, and shall, *unless revised by the Government*, take effect on formal confirmation by the Deputy Commissioner who shall be at liberty to accept or reject any bid at his discretion without assigning reason for the same. Such formal confirmation will be necessary whether the sale be held by the Deputy Commissioner himself or by any other officer appointed by him. Should there be no bid above the upset price, the officer conducting the sale may lower the upset price at his discretion. The officer conducting the sale may, at his discretion and without assigning any reason, refuse to accept the bid of any person on the ground that he has been convicted by a criminal court of such an offence, or has been guilty of such an infringement of the terms of his license or of a contract under the Excise Regulation or Opium Act as to render him undesirable as a holder of a license, or on the ground that he is insolvent, or in order to prevent arrangements to the detriment of Government interests, or for any other valid reason.

2. (*a*) Parties intending to bid must attend either in person or by duly authorized agents; and no person shall be permitted to bid either on his own behalf or on account of any one else until he has made a deposit of Rs. 25 for shops in the Kolar Gold Fields and the Cities of Bangalore and Mysore and Rs. 10 for shops in other places, or such other reasonable amount as may be fixed by the officer conducting the sale. Provided that the Government may at any time dispense with such initial deposit. Such deposit will, if offered, be received within three days previous to the date of sale. Deposits made by unsuccessful bidders, if not forfeited as hereinafter provided, will be returned at the close of the sale.

(*b*) No shops or group of shops shall be knocked down in the name of more than one person or of more than one company or firm duly represented. The selling officer shall refuse to register as a purchaser any one in whose name the bidding has not proceeded.

3. (*a*) The successful bidder shall, on the exclusive privilege being knocked down to him, at once, if so required by the selling officer, or otherwise at the close of the day's sale, further deposit a sum equal to one-twenty-fourth part of his bid for the year, that is to say, one-half of the monthly rent unless the initial deposit equals or exceeds two months' rent. Should he failed to do so, the deposit, if any, made by him under clause 2 (*a*) will be forfeited, and the privilege will be sold again on the

* For Schedule see Supplemental to the *Mysore Gazette*, dated 5th April 1906.

above conditions, or otherwise disposed of at his risk, as the Deputy Commissioner or selling officer may determine.

(b) The person to whom a shop or group of shops has been knocked down and who has made deposits as provided above, shall be required to leave his address with the selling officer, in order that the confirmation of the sale may be communicated to that address by a notice, and he shall, within seven days after the service of the said notice by its presentation to himself or to any adult male member of his family at the place of said address or by its being affixed thereto or by its forwardal duly registered by post, pay at the Taluk Treasury concerned, such further sum as, with the former deposits, will make up an aggregate sum equal to two months' rent, and execute at the same time before the Amildar the necessary engagements and take out the necessary licenses, as hereinafter set forth.

4. (a) The deposit made under the preceding para shall be either in cash or in Government of India Securities duly endorsed in favor of the Deputy Commissioner. Provided that in cases where the monthly rent exceeds Rs. 10 (in lieu of a deposit of two months' rent as above), the Deputy Commissioner may, in his discretion, allow any purchaser to deposit one month's rent as above, and to furnish approved personal security for an amount equal to four months' rent. In all cases where the monthly rent does not exceed Rs. 10, a cash deposit equal to two months' rent shall invariably be taken, and no personal security shall be accepted. If, on enquiry subsequent to sale, the purchaser shall be found to be a foreigner having no property in the Mysore State, or to be of doubtful solvency he may be required to deposit twice the prescribed sum or to get a surety or sureties, residents of and possessing property in the Mysore State, to execute a security bond for the due payment of *all moneys* that may become due by him under the terms of the contract.

(b) Should the initial deposit exceed the sum required to be deposited under clause 3 (b) or clause 4 (a), the excess will be refunded to the purchaser.

5. The purchaser of the exclusive privilege shall execute an agreement binding himself and, unless exempted by the Deputy Commissioner by an order duly recorded, so much of his movable and immovable property as may be deemed sufficient, to observe the conditions hereinafter set forth, as well as those specified in the license to be issued to him; and his surety, if any has been accepted under the above para, shall also execute a bond in the prescribed form binding himself and so much of his movable and immovable property as may be deemed sufficient by the Deputy Commissioner, for the due fulfilment by the purchaser of the terms of his agreement. The agreement and bond so executed shall be stamped at the expense of the purchaser. They shall also be registered at his expense when the amount secured is Rs. 100 and above.

6. If default is made in making the deposit or deposits or in executing the agreement or the security bond, if any, and in taking out licenses as aforesaid, the exclusive privilege shall be forthwith re-sold or otherwise disposed of by the Deputy Commissioner at the risk of the first purchaser, who shall forfeit to the Government any deposit or deposits already made by him, and shall further be liable to make good any loss caused by such re-sale or other disposal. He shall not be entitled to any gain accruing from the re-sale or other disposal, and he shall be debarred from bidding again for the same or for any other shop or group of shops. In the case of loss the forfeited deposits will be deducted from it and the remainder, if any, shall be recovered as if it were an arrear of land revenue. In the case of the purchaser's death after the confirmation of the sale, it will be binding on his heirs or assigns.

7. As soon as the agreements and bonds have been executed, the Deputy Commissioner will issue a license in the prescribed form, assigning to the purchaser the exclusive privilege referred to therein, subject to the following conditions; but nothing herein contained shall exempt the purchaser of the privilege from liability to the penalties prescribed for breaches of the conditions set forth below, though a formal license may not have been issued to him:—

(1) The exclusive privilege conferred by the license extends to the sale of Date, Palmyra, Cocoanut, Bagani and Dadasal toddy. But in tracts where both Date and Bagani toddy shops exist, the licensee of the Date Toddy shop shall not tap Bagani trees and the licensee of the

Bagani Toddy shop shall not tap Date trees but both licensees can tap any of the other palm trees named above.

(2) The Deputy Commissioner shall be at liberty to issue license for the sale of foreign liquors, for the manufacture and sale of country beer, and for the manufacture and sale of arrack and other country spirits.

(3) The amount of rent shall be payable into the local Government Treasuries on printed chellans furnished for the purpose by Government, in equal monthly instalments commencing from 1st July 1906. No amount shall be paid to or received by the Excise Officers. In the malnad and semi-malnad taluks, the Deputy Commissioner may permit patels of villages who are not themselves licensees to receive payments not exceeding Rs. 50 from any individual at a time. But if the amount of annual rent for any shop does not exceed Rs. 12, the whole of it shall be paid in not more than three quarterly instalments. Each instalment shall be regarded as the rent for the month or quarter in respect of which it is payable. The licensee will make separate payment on account of local cess. Each month's or quarter's rent shall be payable on or before the 20th of the same month or before the end of the quarter. If default is made, the Amildar may, with the sanction of the Deputy Commissioner, by record in writting, suspend or cancel the license, order the forfeiture of all deposits made by the defaulter and proceed to re-sell or otherwise dispose of the shop or group of shops at the defaulter's risk (as soon after the last day of the month or quarter as may be possible), with effect from date of issue of license to the new purchaser, or from the date of other disposal. Provided, however, that instead of re-selling the same as above the Deputy Commissioner may, in his discretion, direct the Amildar to issue licenses to sub-vendors or vendors under the defaulting licensee for rents, the aggregate of which is not less than the rent the defaulting licensee had agreed to pay. The officer who has power to suspend the license may, however, at his discretion, allow sales to continue pending re-sale or other disposal of the privilege.

NOTE.—The licensee of a Jatra shop shall pay the rent thereof in full before the Jatra begins.

(4) For the supply of toddy to his shops the licensee shall have the privilege of obtaining, subject to tree-tax rules, toddy-yeilding trees in the groves assigned to his shops or groups of shops, and he shall be at liberty to manufacture toddy from the trees in private lands, under private arrangements between himself and the owners of such lands. He may purchase toddy from any licensed toddy shop-keeper on application to the Inspector, who will grant the required permits on proof of the necessity for the same. No toddy except the produce of trees marked by a proper officer and tapped under a license shall be kept in the shop or offered for sale or sold.

(5) For all toddy-yielding trees, tree-tapping licenses shall be annual. For the convenience of the licensee, the applications for tree-tapping licenses will be received, trees will be marked, and licenses will be issued during the fifteen days and pots may be attached to such marked trees during the eight days immediately preceding the period to which they relate to take effect from the commencement of such period. Provided that no toddy shall be removed from the trees except during the currency of such license.

(6) (*a*) Persons applying for the issue of tree-tapping licenses will be responsible to Government for all sums payable as tree-tax on account of the trees licensed therein to be tapped and also for tree-rent in the case of trees on Government unoccupied lands and also for local cess thereon.

(*b*) On receipt of an application, the Inspector will at once take steps for the marking of the tree by an officer superior in rank to a Sub-Inspector, and for the timely issue of the license. Applicants for date trees shall get the requisite spaces on their stems prepared and point-

out to the marking officer, when required by the latter to do so, the trees applied for by them. Should they failed to do so, after reasonable notice, the tree-tax and tree-rent paid by them shall be liable to be forfeited at the Deputy Commissioner's discretion.

(7) No tree shall be tapped, nor shall toddy be drawn from any toddy tree, nor shall any pot be attached to any toddy tree until the tree has been marked by the proper officer. But the removal of leaves for the purpose of making incisions and the preparation of the spathes or incisions for the drawing of toddy is permitted as soon as the application in the prescribed form has been delivered to the Treasury concerned.

(8) (1) No tree shall be tapped for toddy without a license therefor to be obtained by payment of tree-tax at the following rates:—

Description of trees.	Rates of tree-tax including local cess per tree per annum.		
	Rs.	a.	p.
Date	1	1	0
Cocoanut	2	2	0
Palmyra	1	9	6
Bagani or sago	1	9	3
Dadasal (Arenga wightii)	0	8	6

NOTE.—The licenses will be free of tax to the Mysore Government in the cases specified in clause 15 (1) (*b*) below.

(2) In addition to the above tax, tree-rent at annas 4 per tree per annum with local cess at 3 pies thereon shall be paid for all Government trees applied for being tapped for the supply of toddy shops whether within or outside the Mysore territories or in the Civil and Military Station of Bangalore.

NOTE.—No trees upon Government occupied land can be tapped without the consent of the owner. The present arrangement as regards trees on alienated land will hold good subject, of course, to the levy by Government of tree-tax.

(9) The tree-tax shall be payable in the following instalments, unless the Excise Commissioner shall otherwise direct:—

Period within which license is applied for	Proportion of tree-tax to be paid at the time of application for license	Proportion of tree-tax to be paid on the first of the 3rd month
Between 1st July 1906 and 30th April 1907 ..	One-third ..	The remaining two-thirds.
Between 1st May 1907 and 30th June 1907 ...	The whole ...	.....

(10) (*a*) The tree-rent together with the local cess on tree-rent and also the local cess on the tree-tax for trees applied for shall be payable in full at the time of application for tapping license.

(*b*) If any instalments are not paid within the time, the license shall be liable to be cancelled or suspended under Section 26 of the Excise Regulation.

(*c*) When the licensee makes default and his shop is re-sold, his rights to and claim on Government trees cease and determine.

(*d*) In case of default, the Amildar with the Deputy Commissioner's permission will order the suspension of the tapping license till the arrears are paid up and if, after receiving notice of such suspension, the defaulter continue to tap the trees, he will be prosecuted for illicit tapping.

(11) The deposit made by the licensee will be taken as security for the due performance of the conditions of the license and if not forfeited or credited or otherwise disposed of shall be taken in payment of the instalment due in the last months or month of the period of the license.

All arrears and deficits payable by the licensee shall, with interest at 6 per cent per annum, be recoverable from him or his surety under the rules in force for the recovery of land revenue. Interest shall be calculated on all arrears from the date of default and on deficits from the date of re-sale or disposal otherwise. No remission or abatement of the rent or compensation shall, on any account whatever, be claimable by the licensee, nor will he be entitled to any compensation for any trees withdrawn or taken for the public purpose.

(12) If the Deputy Commissioner does not confim the re-sale, he may make such other arrangements as may appear advisable for the remainder of the period of the lease, in which case he shall serve a notice on the defaulting licensee informing him of the nature of the arrangements made.

(13) If the licensee of a group of shops wishes to establish a depot for depositing toddy required for distribution to his shops, he shall obtain a license for it in the prescribed form. The passes issued with the toddy transported, shall be subject to examination and check by the officers authorized in this behalf.

(14) The tree-tax on toddy produced by trees in the Madras Presidency but consumed in the Mysore State, will be credited to the Mysore Government. The rate of tree-tax to be paid in such cases will invariably be the highest in force on either side of the frontier. Tree-tax on trees in the Madras Presidency for which tapping licenses are about to be taken out by Mysore shop-keepers, must be paid in one instalment to the Amildar of the Taluk concerned in the Mysore State, who will grant a receipt in the prescribed chellan form and certify at the foot that the applicant is a person entitled to take out tree-tapping licenses. The applicant will then make his application to British authorities in accordance with the Madras Government Tree-tapping Rules, and will obtain a transport permit from the Inspector concerned in the Mysore State for the transport of the toddy drawn from the frontier to the shop or depot for which it is intended, after having complied with all requirements of the Madras Government Rules.

(15) (1) Tree-tapping licenses in the prescribed form shall be issued on the application :—

(*a*) of licensed toddy shop-keepers or of their duly authorized agents,

(*b*) of tree-owners in coffee estates, hittals and kans in the malnad free of the prescribed tree-tax for drawing toddy for *bona fide* domestic purposes as per Government Order No. 11897-906—Excise 485, dated 20th June 1898, for such number of trees as may be found necessary by the Excise Commissioner.

(2) The licenses may be issued in the name of the applicant himself or of his nominees.

(16) Applications for the grant of tree-tapping licenses must be made in the prescribed form to the Excise Inspector of the Range concerned through the local Treasury. Forms may be obtained from him or the Assistant Inspectors under him.

(17) Applications for tree-tapping licenses, for trees in occupied or alienated lands should be countersigned by the owner of the trees intended to be marked, in token of his consent. Applications for tree-tapping licenses for trees in State Forests and plantations should be countersigned by the Forest Range Officer in token of his consent.

(18) Deputy Commissioners may, subject to the orders of the Excise Commissioner from time to time, prescribe the minimum number of trees for which license will be granted, and the minimum number to be entered in a single application. They may also direct that the trees situated in one village only shall be included in an application.

(19) Every person to whom a tapping license is granted for the manufacture of toddy shall observe the following rules in tapping date trees:—

(a) Date trees shall be tapped only by professional men.

(b) Trees tapped one year shall not ordinarily be tapped the next year.

(c) Trees shall not be over-tapped or over-worked.

(d) In no date trees shall the initial incision be made at any point less than 3 feet from the ground except in places where permission is specially given by the Excise Commissioner.

(e) The depth and width of the incision shall not exceed one-third of the diameter of the tree, and the length of it shall not exceed eight inches.

(f) Every fresh incision shall not be less than one foot above the last incision except in localities where permission is specially given.

(g) The central spike-like clusters shall not be touched. Of the lateral leaves not less than two layers of leaves shall be left, reckoning from the layers immediately next to the central clusters down to the top line of the incision; or in other words, above the top line of the incision not less than eight leaves shall be left excluding the central spike-like clusters, on that face of the tree on which the incision is made.

(h) The licensee shall not cut or injure or permit to be cut or injured the trees licensed to him or any other trees.

(i) The licensee or his employer will be liable to pay a fine of one rupee for each tree in excess of three per cent of the number of trees marked for him which may die from over-tapping or careless tapping either during the lease or within six months after its expiration.

(20) The licensee shall not interfere with the persons holding license for cutting date leaves for mat-making, rope-making, basket-making, or for agricultural or other purposes, when they make use of the trees assigned for such purposes, and not received for tapping.

(21) The licensee of the depot or shop or group of shops will be required to keep true account of the receipts and issues of toddy from day to day in ink in the prescribed form. The accounts and permits shall be in printed books which may be obtained from the local Excise Officer on payment of cost price. Permits for toddy received and the counterfoils of permits issued must be carefully filed. The signing of blank permits for subsequent issue is prohibited. The accounts and counterfoils of permits shall be preserved and delivered to the local Excise Officer immediately after the close of the lease. They shall be produced when asked for by the Deputy Commissioner or any officer appointed by him or by an Excise Officer not below the rank of an Excise Assistant Inspector. Such returns and information as may be required by the Deputy Commissioner or Excise Officer not below the rank of an Excise Assistant Inspector shall be furnished by holders of licenses without delay.

(22) The sales must be conducted in a suitable building which shall have only one door and no windows or other opening shall be allowed to the rear or at the ends of the building. The bar at which toddy is sold shall be opposite the entrance door and so situated that all persons inside can be seen by any one passing to and fro in the street, and no second room shall be used for the sale of toddy, or be kept open for customers.

(23) Toddy shall not be sold except in shops duly licensed by the Deputy Commissioner, in the prescribed form and no new shops shall be opened without the previous sanction of the Excise Commissioner. Tree-foot sales or sales in the open, or the disposal of toddy in any other manner unauthorized by the rules, are strictly prohibited. Provided, however,

that in Bagani tracts, the licensee who has purchased the right of vend of Bagani toddy, may permit the tapping of Bagani trees for domestic consumption as well as for sale, within the limits of the village purchased by him.

(24) The Deputy Commissioner may, whenever he thinks fit, direct shops to be closed or permit transfers of shops from one place to another within two hundred yards of the sanctioned site. A sufficient supply of toddy shall be maintained in all sanctioned shops, the quantity being such as may be fixed by the Excise Divisional Officer.

(25) The licensee shall place the license granted to him in a conspicuous place in the shops.

(26) The right is reserved to the Deputy Commissioner to grant occasional licenses for the sale of toddy on the occurrence of fairs, festivals, etc., in places in the vicinity of which, there are no regularly licensed shops. Such licenses shall ordinarily be granted to shop-keepers, who usually supply the locality. Their period shall not exceed fifteen days and the fee to be paid therefor shall be fixed at the Duputy Commissioner's discretion unless he decides to sell the same by public auction.

(27) A signboard shall be affixed in a conspicuous part of the front of each shop containing, in the local vernacular, the name of the shop-keeper, number of his license and the rate at which toddy is sold by him. The sale or transport of toddy by persons suffering from leprosy or any contagious disease and the employment of such persons in the shop, are prohibited.

(28) The licensee shall prevent all drunkenness or disorder or gaming within his shops.

(29) No shop shall be opened before sunrise or kept open after 9-30 P. M. in the City of Bangalore except under special authority. The shops shall be kept open during the authorized hours, unless its temporary or permanent closure is authorized by the Deputy Commissioner.

(30) The licensee shall not harbour robbers or thieves or disorderly or riotous persons or prostitutes or soldiers or others known or believed to be deserters. No persons shall be harboured in any shop during the night, but, on the contrary, the licensee shall give intimation to the nearest Magistrate or Police Officer as to any such persons who may resort to his shops.

(31) The licensee shall not receive any grain, jewels, goods, wearing apparel, or other article in barter or in pawn for toddy, but on the offer of any such, shall give information to the nearest Magistrate or Police Officer.

(32) The licensee, vendor, or vendors shall not sell to any person more than three measuring seers of toddy to be consumed by the person at one time in the shop. He shall not allow any one to take out of his shop without a pass more than two seers or imperial quarts with the exception of bakers who are permitted to purchase and remove the quantity of toddy specified in the pass held by them. Toddy can be removed upon passes for consumption up to the limit of one imperial gallon or four seers.

(33) The distillation of spirit from toddy is absolutely prohibited.

(34) Toddy shall be sold pure as drawn from trees, and shall not be adulterated or diluted in any manner in the shops, or depots if any. No ingredient noxious to health shall be put into the toddy either to increase its intoxicating power or for any other purpose. All officers authorized to inspect shops and depots are authorized to detain any liquor found unfit for consumption or use and Excise Commissioner, all Deputy Commissioners and Deputy Excise Commissioner and Excise Assistant Commissioners are empowered to destroy such liquor.

(35) Toddy shall not be sold to the public at less than the retail rates fixed by Government as per schedule attached.

(36) The licensee shall possess or use on any licensed premises only such standard measures of capacity as may, from time to time, be prescribed by the Excise Commissioner. The officers authorized to inspect licensed

shops, are empowered to enter and examine the premises to test measures in use and the toddy under sale and to call for and check accounts in the shop.

(37) The licensee shall have such measures tested and stamped to his own expense.

(38) No toddy shall be sold or given to any European non-commissioned officer, private or solder, or to any European or Eurasian camp follower, or to any member of the families of any of the aforesaid persons, without the permission, in writing, of the Commanding Officer, or of some person duly authorized by him in this behalf; nor to any European or Eurasian sailor, nor to any sepoy, member of the Police force, Excise officer, or a servant of a Railway Company whilst on duty; nor to any European vagrant under escort of the Police; nor to any child under fourteen years of age, nor to any insane person for consumption on the premises; nor shall any toddy be sold *on credit.*

(39) The Deputy Commissioner or Assistant Commissioner in charge of the Taluk may direct that all shops for the sale of toddy on, or adjacent to, the line of march shall be closed whilst a regiment or detachment of European or Native soldiers is passing or encamped in the vicinity. Such soldiers may be supplied with toddy by such persons as the Government may select for the purpose, notwithstanding the licensee's exclusive privilege.

(40) The Government reserves the power to terminate the lease on public grounds, on giving the licensee fifteen days' notice and awarding a reasonable compensation to the licensee. The licensee will have no claim to compensation or remission on account of any arrangements which may be made by Government in regard to country beer or other description of liquor than toddy.

(41) The license shall not be transferable by sale, gift or otherwise or be sub-rented except with the permission of the Excise Commissioner. Applications for the resignation of shops in whole or in part will be summarily rejected by the Deputy Commissioner.

(42) No person shall be appointed by the licensee for the management of any such privilege without the Deputy Commissioner's previous approval.

(43) All engagements entered into by agent, shall be deposited with the Deputy Commissioner within one month from the date of execution.

(44) If it comes to the licensee's knowledge that any person employed by him in the manufacture, carriage or sale of toddy commits any breach of the Excise Law or of the engagements entered into by him, it shall be the licensee's duty to report the matter to the Deputy Commissioner, and to comply with the directions of the Deputy Commissioner respecting the further employment of such person.

(45) The licensee of shop or group of shops shall not, during the term of the license, have any interest in the exclusive privilege of vending arrack within five miles from it nor permit any person having interest in the exclusive privilege of vending arrack within the said area of five miles to hold any share or interest in his exclusive privilege of selling toddy; nor shall he, during the term of his license, without the written permission of the Excise Commissioner, have any interest, direct or indirect, in any toddy shop or farm outside the territories of Mysore, or in the Civil and Military Station of Bangalore.

(46) The licensee shall provide himself with printed forms of permits for transport and possession of toddy. Such permits shall be in the form prescribed by the Excise Commissioner, and shall be purchased from local Excise officers. He shall have no other pecuniary dealings with any Excise officer.

(47) The licensee shall pay the usual mohatarfa tax on carts used for conveying toddy but such carts shall not be impressed for Government work.

(48) In case of any breach of the aforesaid Rules or of the conditions of the license either by the licensee or with his connivance or privity by any person in his employment, or in case of the licensee neglecting to open his shops on 1st July 1906, or to carry on his business with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding the sum of Rs. 50 for every such breach or neglect, or at the option of the Deputy Commissioner to declare the money deposited with him forfeited, and to cancel the license, and to re-sell the exclusive privilege or otherwise dispose of it at the risk of the licensee, or to place it under the management of Government. When a license is cancelled, the rent for the whole period of the license shall become due at once; and all loss caused to Government by the cancelment of the license or by the re-sale or other disposal of the privilege shall be made good by the licensee, or his surety in the manner specified in condition 53. All sums due shall be recovered in the same manner as if they were arrears of land revenue.

(49) An Inspection note-book with the pages numbered consecutively for inspecting officers to enter their remarks, shall be maintained and be handed over to the Excise Inspector in charge of the Range or any officer authorized by him to receive it on a receipt being given therefor.

(50) The imposition of a fine, or the forfeiture of a deposit, or the cancellation of the license under the last preceding condition, shall not be held to prevent the prosecution of the licensee or his agents or employees for any offence punishable under the law for the time being in force.

NOTE.—For continuing breaches of a license, continuing fines may be imposed.

(51) No person who has been convicted of any heinous offence under the Indian Penal Code shall be employed in the carriage or sale of liquor without the Deputy Commissioner's previous permission.

(52) If the licensee shall be convicted on prosecution before a Magistrate of any offence against the Excise Regulation or Opium Act or other law for the time being in force, which, in the Deputy Commissioner's opinion, renders him unfit to hold the license, it shall be lawful for the Deputy Commissioner to declare his license forfeited or sell or otherwise dispose of the privilege at the risk of the licensee.

(53) All sums payable by the licensee may be deducted from the amount of his deposit, or recovered by attachment and sale of the property of the licensee or his surety, under any law for the time being in force for the recovery of arrears of land revenue.

(54) The licensee shall be bound by the provisions of the Excise Laws and Rules thereunder for the time being in force and by the terms and conditions of the license. The licensee shall, on requisition by the Deputy Commissioner or other officer duly authorized by him, deliver up his license for amendment or for the issue of a fresh license accordingly.

(55) In every grove where toddy-yielding trees are tapped, a ladder shall always be kept by the tap-men to enable Excise officers to examine incisions or spathes, as the case may be, or to measure the incisions.

DATES OF SALE.

District	Taluk	Date
		May 1906
Bangalore	Bangalore City	1
	Bangalore Taluk	2
	Anekal	4
	Hoskote	8
	Devanhalli	10
	Hodballapur	12
	Nelamangala	14
	Magadi	16
	Channapatna	19
	Kankanhalli	21
		May 1906
Kolar	Goribidnur	3
	Bagepalli	7
	Chikballapur	9
	Sidlaghatta	11
	Chintamani	15
	Srinivaspur	17
	Mulbagal	19
	Kolar	21
	Malur	23
	* Kolar Gold Fields	25
	Bowringpet	26
		May 1906
Hassan	Belur	1
	Manjarabad	3
	Arkalgud	7
	Hole-Narsipur	9
	Hassan	11
	Channarayapatna	14
	Arsikere	17
		May 1906
Kadur	Kadur	19
	Tarikere	21
	† Yedahalli	23
	Koppa	25
	Mudgere	28
	Chikmagalur	31

District	Taluk	Date
		May 1906
Tumkur	Kunigal	8
	Tumkur	10
	Gubbi	12
	Tiptur	16
	Chiknayakanhalli	19
	Sira	23
	Maddagiri	25
	Pavagada	28
		April 1906
Mysore	Yedatore	24
	Hunsur	26
	Heggaddevankote	28
	Nanjangud	30
		May
	Gundlupet	2
	Chamrajnagar	4
	Yelandur	7
	T.-Narsipur	9
	Malvalli	11
	Mandya	14
	Seringapatam	16
	Krishnarajpete	18
	Nagamangala	21
	Mysore City and Taluk	23
		May 1906
Shimoga	Shimoga	4
	Tirthahalli	8
	Nagar	10
	Sagar	12
	Sorab	14
	Shikarpur	16
	Honnali	18
	Channagiri	21
		May 1906
Chitaldrug	Hosdurga	8
	Holalkere	10
	Davangere	12
	Jagalur	15
	Molakalmuru	17
	Challakere	19
	Hiriyur	22
	Chitaldrug	25

* Gold Fields Magistrate's Court. † Deputy Amildar's Office.

P. N. PURNAIYA
Excise Commissioner in Mysore.